



OLR RESEARCH REPORT

August 27, 2012

2012-R-0386

PROVIDING CABLE TV SERVICES IN CONDOMINIUM COMPLEXES

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You asked for a discussion of the law regarding the installation of cable TV service in a condominium complex. You were specifically interested in learning (1) whether the cable company must notify the condominium owners of the installation and (2) who is responsible if it damages property in installing wires in the complex.

SUMMARY

The law ([CGS § 16-333a](#)) requires the owner of a multiunit residential building to permit a cable company to wire the building if an occupant requests cable service and certain other conditions are met. The company must hold the building owner harmless for any damages caused by the wiring. Related regulations (Conn. Agencies Reg. § 16-333-46) require the company to (1) notify the building owner before installing service and (2) reasonably compensate the building owner for any taking of property.

Although the law applies to condominium complexes, it does not create any rights for individual condominium owners. The law does not address whether a cable company or condominium association must notify individual condominium owners of the installation of the wiring for cable service. (The bylaws governing the condominium may have provisions in this area.) Nor does it entitle individual owners for compensation for damages to their units that might occur in the process of installing cable service, although it appears that this might constitute a tort for which the unit owner could seek damages in court.

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Wiring

[CGS § 16-333a](#) requires an owner of a multiunit residential building to permit wiring to provide cable service in the building if:

1. a tenant of the building requests cable service;
2. the cable company covers the entire cost of the wiring;
3. the company indemnifies and holds harmless the building owner for any damages caused by the wiring; and
4. the company complies with all rules and regulations of the Public Utilities Regulatory Authority (PURA), formerly the Department of Public Utility Control, regarding the wiring.

Although this provision refers to “tenants,” this section also explicitly applies to condominium associations.

A cable company may not (1) enter into any agreement with the owners, lessees, or persons controlling or managing buildings it serves, or (2) commit or permit any act that would diminish or interfere with existing rights of any tenant or other occupant of the dwelling to use master or individual antenna equipment. Thus, if a condominium owner subscribes to a satellite broadcast service, the cable company cannot interfere with this service.

Any person, firm or corporation that PURA determines, after notice and opportunity for a hearing, to have failed to comply with the law is subject to a civil penalty of not more than \$1,000 for each day after PURA issues a final order.

Building Owner Compensation

[CGS § 16-333a](#) also requires PURA to adopt regulations authorizing cable companies, upon application by the owner of a multiunit residential building and with its approval, to reasonably compensate the owner for any taking of property associated with the installation of wiring and ancillary facilities for the provision of cable service. The regulations also specify terms that may and may not be included in contracts.

Under the regulations (Conn. Agencies Reg., § 16-333-46) the company must notify the building owner at least 30 days before it plans to begin wiring the building. If the building owner seeks compensation from the company the owner must apply to PURA within 30 days of receiving this notification. The company and the building owner must seek to reach an agreement on the amount of compensation. Any agreement is subject to PURA approval, and PURA must issue its decision within 90 days of receiving the agreement. If (1) the building owner and the company are unable to reach agreement after 60 days of negotiations or (2) PURA rejects an agreement, PURA must determine the appropriate amount of compensation within 90 days after starting the proceedings. The company can install, maintain, or remove facilities or provide service to an individual unit during these proceedings. PURA must consider various factors in making its determination, such as the value of the applicant's property before and after the installation of cable service.

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